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FOLLOW-UP TO THE FOURTH WORLD CONFERENCE ON WOMEN: REVIEW OF MAINSTREAMING IN ORGANIZATIONS OF THE UNITED NATIONS SYSTEM

Extent to which violations of women's human rights have been addressed by human rights mechanisms

Report of the Secretary-General

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* E/CN.6/1996/1.

INTRODUCTION

1. The Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights, confirmed the human rights of women and of the girl child as an inalienable, integral and indivisible part of human rights. 1/ It significantly expanded the international human rights agenda to include gender-specific violations and identified particular examples of gender-specific abuses as human rights abuses. 2/ It also called for the equal status of women and the human rights of women to be integrated into the mainstream of United Nations system-wide activity and, in particular, to form an integral part of the United Nations human rights programme. 3/ To that end, it urged treaty-monitoring bodies to include the status of women and the human rights of women in their deliberations and findings, making use of gender-specific data, and welcomed resolution 1993/46, adopted by the Commission on Human Rights at its forty-ninth session, in which the Commission encouraged human rights rapporteurs and working groups to take account of gender in their work. 4/ This theme of integration of gender into the mainstream human rights programme has been further underlined in a series of resolutions of the Commission on Human Rights, 5/ the Commission on the Status of Women 6/ and the General Assembly. 7/

2. At its thirty-ninth session, in March 1995, the Commission on the Status of Women, in resolution 39/5, recalled the fact that Vienna Declaration and Programme of Action mandated the integration of the human rights of women into the mainstream of United Nations activities system-wide and that it urged the promotion of increased cooperation and integration of objectives and goals between the Commission on the Status of Women, the Commission on Human Rights, the Committee on the Elimination of Discrimination against Women, the United Nations Development Fund for Women, the United Nations Development Programme and other United Nations bodies. It stressed the importance of cooperation and coordination between the Commission on the Status of Women and the Commission on Human Rights so as to ensure that the United Nations human rights mechanisms address, on a regular basis, violations of the human rights of women and that the Commission on the Status of Women regularly take stock of that integration process, while carrying on its central role of monitoring activities relating to the status of women. Various specific recommendations were made in the resolution to enhance efforts to mainstream the human rights of women, particularly in the work of the United Nations human rights programme. The Commission also requested the Secretary-General to ensure, from 1995, the annual preparation of a joint work plan for the Centre for Human Rights and the Division for the Advancement of Women on the human rights of women in the context of the implementation of the Vienna Declaration and Programme of Action, taking into account the outcome of the Fourth World Conference on Women. Finally, the Commission requested the Secretary-General to report to the Commission at its annual session in 1996 on the resolution's implementation.

3. Most recently the theme of integration was reiterated in the Beijing Declaration and Platform for Action, adopted at the Fourth World Conference on Women, which stressed the need for intensified efforts of cooperation and coordination to ensure that the equal status and the human rights of all women and the girl child were integrated into the mainstream of United Nations

system-wide activities and were addressed regularly and systematically in relevant United Nations bodies and mechanisms. 8/

4. The present report describes the progress that has been made in mainstreaming the human rights of women into the United Nations human rights programme and outlines the steps that have been taken in the implementation of resolution 39/5. The report concludes that, although impressive progress has been made, more remains to be done. Accordingly, it makes various recommendations for future action.

I. PROGRESS IN MAINSTREAMING THE HUMAN RIGHTS OF WOMEN

5. Mainstreaming implies bringing about desired change by influencing decisions at the highest levels in all relevant bodies. Mainstreaming of the human rights of women within the United Nations human rights programme, thus, seeks to introduce a qualitative change in the approach of the programme to women. 9/ It requires, first, that the concerns of women feature as priorities in all parts of the programme and are defined as issues of human rights, so that the claims of women are construed as valid human rights claims. Secondly, it requires the human rights programme to take account of gender-specific abuses and treat them as violations of human rights and, also, to understand the gender dimensions of human rights generally. As outlined below, impressive progress has been made within the programme with respect to the first requirement, 10/ although the progress has been greater in terms of policy than in terms of application. 11/ Progress with respect to the second has been slower.

6. In March 1994, in resolution 1994/45, the Commission on Human Rights decided to appoint a special rapporteur on violence against women, including its causes and consequences. Until the appointment of the special rapporteur, the human rights programme, having taken the view that the parallel "women's rights programme", comprised of the Commission on the Status of Women and the Committee on the Elimination of Discrimination against Women, had institutional responsibility for the human rights of women, had devoted little attention to the human rights of women. Women who suffered violations of enshrined human rights in the same way as men and women whose enjoyment of enshrined rights was unequal with that of men because of discrimination on the basis of sex had received less attention within the human rights programme. 12/ In addition, the Human Rights Committee, in its General Comment 18(37), sought to give guidance on the meaning of discrimination on the basis of sex in the enjoyment of civil and political rights. 13/

7. The Subcommission on Prevention of Discrimination and Protection of Minorities appointed a working group on traditional practices affecting the health of women and children and adopted a plan of action directed at eradication of those practices. It also appointed a special rapporteur on systematic rape, sexual slavery and slavery-like practices during wartime, including internal conflict. Furthermore, at its forty-sixth session, in August 1994, the Subcommission decided to consider the human rights of women and the girl under every relevant item of its agenda and in all relevant studies. 14/

8. In 1990, the Committee on Economic, Social and Cultural Rights revised its reporting guidelines to require specific coverage of the position of women in their enjoyment of rights guaranteed by the Covenant. 15/ The revised guidelines require the provision of gender-specific data by States parties, and such data is also systematically sought in the written lists of issues which are submitted to States parties prior to their consideration of their reports by the Committee. In order to ensure mainstreaming of the human rights of women in the Committee's work, the Secretariat provides the Committee with gender-specific information which is placed in country files and included in analyses prepared with respect to each State party whose report is scheduled for consideration by the Committee. In addition to receiving written information from non-governmental organizations dealing with women's human rights, the Committee is sensitized to gender-specific issues by oral presentations from such non-governmental organizations, both during its pre-sessional working groups and in its plenary meetings. In its examination of States' reports, the Committee takes into account information provided by the reporting State to the Committee on the Elimination of All Forms of Discrimination against Women (CEDAW) and of the deliberations and concluding observations of CEDAW. At its sixth session, in November 1991, the Committee on Economic, Social and Cultural Rights designated one of its members to follow the activities of CEDAW. 16/ In 1995, in accordance with the joint work plan of the Centre for Human Rights and the Division of the Advancement for Women, of the United Nations Secretariat, and pursuant to resolution 39/5 of the Commission on the Status of Women, the Division for the Advancement of Women submitted a gender-based analysis of the States' reports that were before the Committee at its thirteenth session (E/C.12/1994/WP.16). A number of its general comments on the content of rights, particularly General Comment No. 5 (1994), concerning persons with disabilities, have shown an increased awareness of the gender dimension of those rights. 17/

9. At its fifty-second session (October/November 1994), the Human Rights Committee decided to consider the possibility of updating its General Comment relating to the equal rights of men and women. 18/ It agreed that the lists of issues to be taken up in the consideration of States parties' reports should include more concrete and detailed information on the equal status and the human rights of women. During its fifty-third session (March/April 1995), it amended its guidelines for the preparation of initial and periodic reports so as to request States parties to provide gender-specific information. 19/ Like the Committee on Economic, Social and Cultural Rights, the Human Rights Committee was provided with a gender-based analysis of the reports of State parties to the International Covenant on Civil and Political Rights, to consider at its fifty-fourth session. Both Committees strongly encouraged the Division for the Advancement of Women to seek effective ways and means of providing them with gender information on State party reports, notably by relating and linking such information specifically to statements or information contained in each State party report, making full use of Committee guidelines, using a wide range of sources, including academic and other publications, and providing information on an article-by-article basis.

10. The Committee on the Rights of the Child has, since its first meeting in 1991, incorporated issues of gender into its programme. This has been facilitated by the fact that its Convention, the Convention on the Rights of the Child, 20/ is the only Convention that avoids gender-inclusive language, by

employing both the female and male pronoun, and by the fact that although the rights enshrined are available to female and male children equally, some articles have singular relevance for the girl child. The Committee's reporting guidelines require States parties to include in their reports gender-disaggregated information and statistical data and indicators with respect to the enjoyment of rights established by the Convention. During the consideration of reports, the Committee has raised issues of early marriage, maternal health care, early pregnancy, family planning education and services, adverse health practices, the denial of educational opportunities for girls, and sexual and other abuse. These concerns and suggestions for measures of prevention and rehabilitation are reflected in the concluding observations adopted by the Committee. Like the Committee on Economic, Social and Cultural Rights, the Committee on the Rights of the Child has designated one of its members to follow activities carried out by CEDAW. Moreover, on its regular discussion days, it has examined the particular problems of the girl child. On 23 January 1995, in preparation for the Fourth World Conference on Women, the Committee held a debate on the girl child, during which the complementarity and mutually reinforcing nature of the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women was emphasized and at which a number of recommendations for action to be taken by both the Committee and States parties to promote the rights of the girl child were made. They include the establishment by States parties of a system for gathering reliable, gender-specific information and statistics. The Committee also asked to be provided with information and statistics on inequality and discrimination in areas such as education, health and employment. It recommended strengthened training for health professionals, who should pay attention to the specific health needs of girls, and changes in the image of women in the media, in advertising and in school textbooks. It was further recommended that the Committee should promote its advisory role, with the support of United Nations bodies and non-governmental organizations, and that in the list of questions provided to Governments in the consideration of reports, it should incorporate requests for gender-specific data.

11. Since August 1984, the Secretary-General has convened a biennial meeting of persons chairing the various treaty bodies. At the fifth meeting, in 1994, the chairpersons emphasized the necessity of adequate meeting time and resources for the Committee on the Elimination of Discrimination against Women, suggesting that it should, like all the other human rights treaty bodies, be based at the Centre for Human Rights and thereby be integrated into the mainstream of other United Nations human rights activities. Reiterating that all the human rights contained in international instruments applied fully to women, the chairpersons noted with concern that reports submitted by States parties often did not contain adequate information on the actual enjoyment by women of their rights, nor had such information been forthcoming from other sources. They urged treaty bodies to monitor closely the equal enjoyment by women of their human rights and suggested the development of a common strategy by the treaty bodies to achieve that objective, which would include the amendment of reporting guidelines to include information on women, including gender-disaggregated statistical data. 21/

12. A significant part of the sixth meeting of chairpersons, held in September 1995, was devoted to the exploration of ways of more effectively

monitoring the human rights of women within the treaty supervision system. The chairpersons reiterated their view concerning the relocation of the Committee on the Elimination of Discrimination against Women to the Centre for Human Rights and described steps that had been taken by the various treaty bodies towards the implementation of the Vienna Declaration and Programme of Action. The chairpersons endorsed the recommendations of the expert group meeting on the integration of gender perspectives into United Nations human rights activities and programmes, in particular the recommendations that the treaty bodies should fully integrate gender perspectives into their pre-sessional and sessional working methods and should consider the gender implications of each issue discussed under each of the articles of the respective instruments; that guidelines for the preparation of reports by States parties should be amended to reflect the necessity of providing specific information on the human rights of women; that treaty bodies should make special efforts to elicit information about the situation of women in the area of inquiry when undertaking investigative procedures; that treaty bodies should consistently request gender-disaggregated data from States parties and the United Nations specialized agencies and use that data when reviewing country reports; that the treaty bodies should make every effort to exchange information on progress, developments and situations concerning the human rights of women; and that, in the preparation of the reports on their sessions, attention should be paid to the use of gender-inclusive language wherever possible. The respective chairpersons have undertaken to report on the implementation of these recommendations at their seventh meeting. 22/ Additionally, in order to facilitate the work of the treaty bodies in this regard, the Centre for Human Rights has begun a thorough review of the provisions of the Beijing Declaration and Platform for Action with a view to examining their implications for treaty-body working methods and the interpretation of treaty provisions and for State party reporting.

13. Evidence of mainstreaming the human rights of women can also be seen in the work of the non-treaty mechanisms. In 1995, the report of the Special Rapporteur on the Situation of Human Rights in the Former Yugoslavia mentioned several cases of rape, threats of rape, and other forms of sexual abuse and of harassment and abduction of women. 23/ In his 1996 report to the Commission on Human Rights, the Special Rapporteur on the Situation of Human Rights in Rwanda examined the specific situation of women in the conflict, the phenomenon of rape being used as a "weapon of war" by the perpetrators of the massacres, and the after-effects and the consequences of rapes. 24/

14. Since the adoption of resolution 1993/46, in which the Commission on Human Rights directed special rapporteurs and working groups of the Commission and the Subcommission regularly and systematically to include in their reports available information on human rights violations affecting women, some progress has been made. 25/ In resolutions 1994/53 and 1995/87, by calling on the thematic special rapporteurs and working groups to include in their reports "gender-disaggregated data and to address the characteristics and practice of human rights violations under the mandates that are specifically or primarily directed against women, or to which women are particularly vulnerable", it also affected the approach of those mechanisms. Statistics relating to women victims of violations (such as enforced disappearances, arbitrary detention and torture) were included in the report of the Working Group on Enforced or Involuntary

Disappearances (E/CN.4/1994/26), the Working Group on Arbitrary Detention and of the Special Rapporteur on the question of torture. Those reports now provide a gender-disaggregated breakdown of the cases in question. 26/ Furthermore, the 1995 report of the Special Rapporteur on the question of torture, in response to resolution 1994/37 of the Commission on Human Rights, examines methods of torture involving sexual abuse, which he describes as a common means of torture in some countries and which he describes as "essentially gender-based". 27/ Finally, the Special Rapporteur on extrajudicial, summary or arbitrary executions has specifically reported on female victims. During 1995, a total of 114 cases transmitted by the Special Rapporteur referred to violations of the right to life of women. 28/

15. The increased gender-awareness and the growing appreciation of the human rights of women by the treaty bodies and other human rights mechanisms mark a significant step towards mainstreaming the human rights of women within the United Nations human rights programme. However, not all treaty bodies and mechanisms have addressed the human rights of women as well as they might. Although the Committee on the Elimination of Racial Discrimination has decided one communication from a woman under its optional communication procedure concerning discrimination on the basis of race, 29/ there is, as yet, no evidence of gender analysis apparent in its questioning during the reporting process or in its general recommendations. Similarly, the Committee on Torture has shown little awareness of the gender dimensions of its Convention.

16. Progress in mainstreaming the human rights of women into the human rights programme is determined not only by whether those rights are addressed or acknowledged within the mainstream human rights mechanisms but also by the nature of their inclusion.

17. Because of lobbying for the adoption of the Declaration on the Elimination of Violence against Women and the establishment of the Special Rapporteur on Violence, mainstream mechanisms have shown themselves to be readily open to the view that gender-based violence is an issue of the human rights of women. Accordingly, they have been willing to address forms of violence against women and girl children as questions of human rights. So far, however, the mechanisms have not begun to employ a gendered analysis of human rights norms in a pro-active manner to promote pro-woman policies and practices.

18. Moreover, inclusion of the human rights of women in these mechanisms has taken the form of considering whether women are an affected group. There has been little analysis of why women do or do not feature in the work of the relevant mechanisms and no real examination of the economic and social characteristics which might explain the presence or absence of women. A notable exception is the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, who has twice reflected on why the victims he deals with in the course of his work are disproportionately male. As he points out "women continue to play a small role in the political and economic life of many countries. The underrepresentation of women in positions of influence, for example in political parties or trade unions, or in professions such as law or journalism, means that they are also less exposed to acts of violence at the hands of Governments that may perceive them as a threat. On the other hand, in areas where women are actively participating in public life, they do not seem to

be in a different position from their male counterparts." 30/ This reflection represents a high level of gender awareness in a mainstream mechanism, thereby testifying to success in attempts to mainstream the human rights of women. At the same time, it reveals the current limits of efforts to mainstream the human rights of women, indicating that the vulnerability of women to extrajudicial, summary or arbitrary execution, outside the traditional public sphere, has not been encompassed within the mandate of the rapporteur, either at an official level or by the rapporteur personally.

19. Efforts to mainstream the human rights of women within the human rights programme have not been confined to human rights mechanisms, but have extended into the secretariat of the Centre for Human Rights and its work. In 1994, a focal point on women's issues was established in the office of the High Commissioner for Human Rights to deal with matters relating to the human rights of women within the Centre and system-wide. The focal point also advises the Assistant Secretary-General and the High Commissiorer for Human Rights on measures to be taken to integrate gender concerns into human rights activities. The focal point attended the thirty-ninth session of the Commission on the Status of Women and was actively involved in the Fourth World Conference on Women. The Centre's plan of activities for the Implementation of the Vienna Declaration and Programme of Action contains a number of activities relating to the status and human rights of women and, in 1995, the Centre prepared, with the Division for the Advancement of Women, a joint work plan relating to the human rights of women, which it submitted to the Commission on the Status of Women and the Commission on Human Rights.

20. In 1995, the Centre, in collaboration with the United Nations Development Fund for Women (UNIFEM), organized an expert group meeting to develop guidelines to incorporate gender perspectives into the work of the United Nations human rights system. The meeting brought together a wide range of leading experts in the field of the human rights of women from human rights treaty bodies, academic institutions, United Nations organs and bodies and specialized agencies and non-governmental organizations. Besides providing a theoretical and conceptual framework for the development of a gender perspective in relation to the enjoyment, promotion and protection of the human rights of women, the expert group meeting elaborated on the elements that are essential for a gender-sensitive approach to the work of the United Nations human rights programme. Those elements include gender-sensitive collection and analysis of information, developing effective responses to violations of the human rights of women, and ensuring that the language of human rights is gender-inclusive. Detailed and specific recommendations were also made by the expert group so as to ensure practical implementation of the group's agreed framework of gender sensitivity. In essence, the recommendations encourage cooperation among the treaty bodies, both in terms of working methods and sharing of information, the development of a gendered reading of rights elaborated in human rights treaties, and measures to ensure that human rights mechanisms other than the treaty bodies, the staff of the Centre and its publications reflect a gender-sensitive approach in their work. Although the guidelines drawn up by the expert group represent a useful step in the fulfilment of the mandate of the Vienna Declaration and Programme of Action, they are very general and should be made more specific to be most effective. The Centre's goal, which is to elaborate a system-wide action plan to implement the recommendations of both the Vienna and

the Beijing World Conferences where the integration of the human rights of women are concerned, will be enhanced by further development of the guidelines and analysis of their application to the work of individual human rights mechanisms and the different parts of the Centre.

21. The incorporation of gender into the Centre's programme of technical assistance in the field of human rights takes the form of the advisory services of experts, human rights seminars, training courses and workshops, and fellowships and scholarships. 31/ Women have been recruited to implement human rights technical assistance projects in certain countries, and a roster of women experts in the field of human rights is being developed. Some attempt has also been made to integrate gender into the Centre's public information activities. For example, in 1995, the Centre published a fact sheet concerning the Convention on the Elimination of All Forms of Discrimination against Women. There is a commitment to incorporate a gender perspective into other publications as well, although the results of this commitment are uneven. 32/ Many of the efforts coincided with preparations for the Fourth World Conference on Women, during which the Centre for Human Rights participated in a number of special activities, including panel discussions on the human rights of women and on violence against women, attended by the High Commissioner for Human Rights and the Assistant Secretary-General for Human Rights.

22. The above review indicates solid evidence of efforts by the United Nations human rights framework to mainstream the human rights of women. However, it is clear that further and significant efforts are required. Certainly the human rights mechanisms and the Centre that services them are aware that gender is an important dimension of human rights. Nonetheless, the real implications of gender for the work of the mechanisms and for the Centre has not been understood as well as it might be. Mainstreaming of the human rights of women has been confined to a formulation of the human rights agenda but has had little impact on the shaping of that agenda or work within the agenda. With isolated exceptions, the approach has been to add women to the existing framework, not to modify the existing framework to take account of the gender dimensions of human rights. To date, moreover, understanding appears to be confined to the issue of gender-based violence against women. The question of other issues has not yet entered the human rights mainstream. Moreover, a gendered reading of existing human rights so as to promote pro-active, pro-women policies and programmes has not, so far, occurred within the programme. Mainstreaming the human rights of women within the United Nations human rights programme thus faces the challenge of how to move those rights from the agenda of the programme into the work of the programme.

II. FUTURE DIRECTIONS

23. Mainstreaming the human rights of women into the work of the United Nations human rights programme requires a two-pronged approach: first, to ensure that the Convention on the Elimination of All Forms of Discrimination against Women, the only human rights treaty dedicated to the promotion and protection of the human rights of women, becomes a mainstream concern within the human rights programme and secondly, to extend the steps already taken in accordance with the

Vienna mandate to encourage coordination and cooperation between the Division for the Advancement of Women and the Centre for Human Rights.

24. The Convention on the Elimination of All Forms of Discrimination against Women, now ratified or acceded to by 151 States remains inadequately known within the human rights programme and in other areas of the United Nations system. Similarly, the Committee on the Elimination of Discrimination against Women and its work are inadequately known and integrated into the human rights programme. Steps must be taken to ensure that the Convention and its Committee are at least as well known as other human rights treaties and treaty bodies and that the work of the Committee is routinely incorporated into the work of the other human rights treaty bodies and mechanisms. Regular briefings of treaty bodies and mechanisms by the staff of the Centre for Human Rights and the Division for the Advancement of Women concerning the work of the Committee should be further expanded to ensure that the Centre is carrying out its various activities, is fully mindful of the provisions of the Convention and the Committee's work. At the same time, steps must be taken to enhance the capacities of the Committee, so as to reduce its reporting backlog and encourage its formulation of general recommendations and the development of concluding observations. These will include encouraging specialized agencies and other bodies of the United Nations and relevant non-governmental organizations to contribute to the work of the Committee.

25. The Division for the Advancement of Women and the Centre will work to encourage a close relationship between the Committee on the Elimination of Discrimination against Women and the other treaty bodies. Documentation will be shared on a routine basis, and joint work projects, particularly cooperative elaboration of general recommendations, will be encouraged, either among the relevant treaty bodies, if feasible, on in the context of the meetings of treaty body chairpersons. In particular, a close relationship between CEDAW and the Committee on the Rights of the Child will be encouraged. The Division will increase its contribution to the work of the other treaty bodies and will ensure that CEDAW is aware of developments and working techniques of those other bodies so as to enhance its work. Ultimately, the current tentative and ad hoc mechanisms of cooperation and coordination will be formalized and streamlined.

26. Mainstreaming of the human rights of women will also entail contributions from the Division to the work of thematic and country-specific rapporteurs. Currently, the Division provides the Special Rapporteur on Violence against Women with an annual dossier of information culled from State party reports submitted under the Convention on the Elimination of All Forms of Discrimination against Women and other sources. Cooperation by the Division with the Special Rapporteur on Violence against Women will continue and will strengthen. Similar cooperation is required in the work of other rapporteurs and working groups, while reciprocal cooperation from those rapporteurs is essential to achieve the Vienna mandate.

27. To date, the steps taken to mainstream the human rights of women in the human rights programme have been by and large, experimental and ad hoc. The future success of mainstreaming will depend on whether those steps can become routine. To that end, the strategies for mainstreaming must be formalized, with clear guidelines. The guidelines developed by the expert group meeting convened

by the Centre and UNIFEM are a step in the right direction, but they need to be discussed and further refined, and mechanisms for accountability must be added. Without clear guidelines and accountability for their application, the mandate of mainstreaming the human rights of women will remain at the level of rhetoric. Rules of practice and procedure which relate to all parts of the human rights programme, requiring the human rights of women to be taken into account in all areas of its work, are required. Assessment of the implementation of the rules of practice or procedure should be an inherent part of the programme, with some costs being incurred where implementation does not occur or is faulty.

III. RECOMMENDATIONS

28. Based on the above considerations, a number of recommendations could be made to the different mechanisms in the human rights regime for improving the mainstreaming of the human rights of women.

A. Treaty bodies

29. With regard to treaty bodies, it is suggested that:

(a) Handbooks that focus on the human rights of women and explore the gender dimension of each particular treaty could be prepared for members of treaty bodies. They would include suggested questions to be posed by the relevant treaty body during consideration of State parties' reports;

(b) Treaty bodies should be encouraged to develop a gender analysis of each article of each treaty, cross-referenced to the Convention on the Elimination of All Forms of Discrimination against Women, including the development of gender-sensitive model questions to be used in the review of States parties' reports;

(c) Treaty bodies could be encouraged to develop a common strategy towards mainstreaming the human rights of women in their work, so that each body monitors, within its mandate, the human rights of women; in particular, they could be encouraged to draw up guidelines for the preparation of State party reports to request information, including disaggregated statistics, from States parties on the situation of women under the terms of each treaty;

(d) Information-sharing between treaty bodies and between specialized agencies and treaty bodies should be facilitated, specifically where the human rights of women are concerned;

(e) The specialized agencies should be encouraged to submit information to treaty bodies on the implementation of their conventions in the context of women;

(f) Cooperation between treaty bodies in the drafting of general comments and recommendations should be encouraged with a view to the preparation of general comments which reflect a gender perspective;

(g) Each treaty body could be encouraged to incorporate a gender perspective into its concluding observations so that the concluding observations of each body delineate the strengths and weaknesses of the State party in so far as enjoyment by women of the rights guaranteed by the particular treaty is concerned.

B. Non-treaty human rights mechanisms

30. With regard to other human rights mechanisms, it is suggested that:

(a) Steps should be taken to implement the recommendation to carry out a study of the mandates of human rights mechanisms from a gender perspective, 33/ as quickly as possible.

(b) A gender-sensitive approach by human rights mechanisms with urgent action or good offices procedures should be developed.

(c) The mandates of all non-treaty mechanisms should be revised so as to incorporate specific reference to gender.

Centre for Human Rights

31. The following suggestions are proposed for the Centre:

(a) Development by the Advisory Services, Technical Assistance Branch and Information Branch of gender guidelines, to be integrated into all aspects of project development, should be promoted;

(b) All human rights mechanisms should routinely receive briefings that incorporate a gender analysis of their particular mandates;

(c) In the field of human rights, the development of "early warning" mechanisms that include a gender perspective should be encouraged;

(d) All publications of the Centre for Human Rights, including information and training materials, should be gender-sensitive and reflect a gender perspective;

(e) The Advisory Services and Technical Assistance Programme of the Centre should develop training courses on the human rights of women, in cooperation with other relevant agencies;

(f) Efforts should be made to ensure that the preparatory phase of any country visit or mission or technical cooperation exercise sponsored by the Centre incorporates gender training.

C. United Nations Decade for Human Rights Education

32. Since the United Nations Decade for Human Rights Education 34/ is intended to improve understanding of the importance of human rights, efforts should be

made to incorporate gender perspectives into all of its activities. This could include ensuring that:

(a) The human rights of women are addressed in the current needs assessment and strategy formulation;

(b) The human rights of women appear as a separate agenda item and is a dimension of all other agenda items in the 1998 international planning conference;

(c) International programmes and capacities for human rights education which incorporate the notion of women's human rights be strengthened.

33. Both the mid-decade and final reports on the Decade should be drafted to include mainstreaming of the human rights of women, ensuring that the evaluation criteria of the High Commissioner for Human Rights for those reports include whether the human rights of women are a mainstream concern.

Notes

1/ "Report of the World Conference on Human Rights, Vienna, 14-25 June 1993" (A/CONF.157/24)(Part I), chap III, para. 18.

2/ Ibid., paras. 38 and 42.

3/ Ibid., para. 37.

4/ Ibid., para. 42.

5/ Resolutions 1994/45; 1994/53; 1995/86.

6/ Resolutions 37/4; 38/2; 39/5.

7/ Resolution 49/161.

8/ "Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995" (A/CONF.177/20), paras. 221 and 231.

9/ "Technical assistance and women: from mainstreaming towards institutional accountability" (/CN.6/1995/6), para 9.

10/ See "The extent to which gender concerns have been included in the activities of the United Nations human rights mechanisms" (A/CONF.177/9).

11/ Similar conclusions have been made with respect to mainstreaming women in technical assistance (E/CN.6/1995/6) and mainstreaming gender throughout the United Nations (E/CN.6/1995/3/Add.10).

12/ Andrew Byrnes, "Women, feminism and international human rights law: methodological myopia, fundamental flaws or meaningful marginalisation? Some current issues", Australian Yearbook of International Law, Vol. 12/205. For examples of how the human rights of women have been considered by the mainstream programme, see the various decisions of the Human Rights Committee under the First Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women - for example, Aumeeruddy-Cziffra v. Mauritius, Communication No. 35/1978; Broeks v. Netherlands, Communication No. 172/1984; Ato del Alvellanal v. Peru, Communication No. 202/1986.

13/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 40 (A/45/40), annex VI.A.

14/ See E/CN.4/Sub.2/1994/56.

15/ Official Records of the Economic and Social Council, 1991, Supplement No. 3 (E/1991/23 and Corr.1).

16/ Ibid., 1992, Supplement No. 3 (E/1992/23).

17/ Ibid., 1995, Supplement No. 2 (E/1995/22), annex IV.

18/ Official Records of the General Assembly, Forty-ninth Session, Supplement No. 40 (A/49/40).

19/ Ibid., Fiftieth Session, Supplement No. 40 (A/50/40). See also General Comment No. 4 (1991) on the right to adequate housing, ibid, Forty-sixth Session, Supplement No. 40 (A/46/40).

20/ General Assembly resolution 44/25.

21/ "Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights" (A/49/537), annex, paras. 49-50, 19-20.

22/ "Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights" (A/50/505), paras. 34-35.

23/ E/CN.4/1996/3, para. 8; E/CN.4/1996/9, paras. 13, 45 and 52; S/1995/933, paras. 59 and 76.

24/ E/CN.4/1996/68, paras. 12-24.

25/ See also resolutions 1994/45 and 1995/86.

26/ See, for example, E/CN.4/1995/36, annex III; E/CN.4/1996/38, annex III; E/CN.4/1995/31, annex II; E/CN.4/1996/40, paras. 68-69 and annex II; E/CN.4/1996/35, para. 18.

27/ E/CN.4/1995/34, paras. 15-24 and 334-338.

28/ See E/CN.4/1996/4, paras. 592-593.

29/ Yilmaz Dogan v. The Netherlands, Communication No. 1/1984.

30/ E/CN.4/1994/7, para. 716; E/CN.4/1995/61, para. 415.

31/ It is interesting to note that the first resolution concerning technical assistance in the field of human rights adopted by the General Assembly (resolution VIII/729, of 23 October 1953) approved a decision by the Economic and Social Council to render, at the request of Member States, services which did not fall within the scope of current technical assistance programmes, in order to assist those States in promoting and safeguarding the rights of women. More recent activities are described in "Integration of the human rights of women into the activities of the human rights bodies and mechanisms" (HR/Geneva/1995/EGP/BP.1), pp.6-8.

32/ The various fact sheets in the ad hoc series and in the human rights study series pay little regard to the gender dimension of their subjects. It is disappointing also to observe that the Centre for Human Rights Professional Training Series, which was initiated after the Vienna Conference, does not routinely address the human rights of women. No mention is made in the Human Rights and PreTrial Detention monograph, for example, of the particular threats to women in detention.

33/ E/CN.6/1994/11, para. 35.

34/ General Assembly resolution 49/184.